

Amendments in the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

1-40. (canceled)

41. (currently amended) A process for preparing nateglinide Form U comprising the steps of:

a) preparing a solution of nateglinide in a mixture of a solvent selected from the group consisting of ~~an ester, ketone, alcohol~~ methanol, ethanol, isopropanol, n-butanol, n-propanol, acetone ethyl acetate and mixtures thereof, and an anti-solvent which is a C₅ to a C₁₂ hydrocarbon;

b) crystallizing nateglinide Form U from the solution at a temperature of from about 0°C to about 30°C; and

c) recovering the nateglinide Form U.

42. (canceled)

43. (original) The process of claim 42, wherein the anti-solvent is heptane.

44. (canceled)

45. (original) The process of claim 41[4], wherein the solvent is ethyl acetate.

46. (original) The process of claim 45, wherein ethyl acetate to anti-solvent ratio is from about 2:1 to about 1:1 (vol/vol).

47. (original) The process of claim 46, wherein the anti-solvent is from about 20° C to about 40°C colder than the ethyl acetate.

48. (original) The process of claim 47, wherein the anti-solvent has a temperature of from about 0°C to about 10°C and the ethyl acetate a temperature of from about 30°C to about 40°C.

49. (currently amended) The process of claim 41, wherein Form U is prepared by preparing a solution in step a) having a temperature of at least about 25°C, followed by cooling to a temperature of from about 0°C to about 10°C to crystallize Form U, and recovery of Form U before its transition to another form.

50. (original) A process for preparing nateglinide Form U comprising the steps of:

a) adding a solution of nateglinide in ethyl acetate to a container holding heptane to spontaneously precipitate nateglinide Form U, wherein the heptane is colder than the solution; and

- b) recovering the nateglinide Form U.
51. (currently amended) A process for preparing nateglinide Form U comprising the step of triturating nateglinide Form δ in ethyl acetate at a ~~suitable~~ temperature below about 40°C for a sufficient amount of time to obtain nateglinide Form U.
52. (original) The process of claim 51, wherein the temperature is from about 20°C to about 30°C.
53. (currently amended) A process for preparing nateglinide Form U comprising the steps of:
- a) preparing a solution of nateglinide in ethyl acetate or acetone;
 - b) seeding the solution with Form B or Form U crystals to crystallize nateglinide Form U; and
 - c) recovering the nateglinide Form U in less than about 5 hours.
54. (original) The process of claim 53, wherein the solution is seeded with Form B.
- 55-94. (Canceled)
95. (withdrawn) A pharmaceutical formulation comprising nateglinide Form L, P, alpha, delta and sigma, and a pharmaceutically acceptable excipient.
96. (withdrawn) A method for lowering blood sugar level in a mammal comprising administering the pharmaceutical formulation of claim 95 to the mammal.
97. (previously presented) The crystalline nateglinide Form U prepared by the process of claim 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53 or 54.